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 COUNTY OF SANTA CLARA and SANTA
 CLARA COUNTY PUBLIC HEALTH
 DEPARTMENT

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

CALIFORNIA RESTAURANT
 ASSOCIATION,

Plaintiff,

v.

THE COUNTY OF SANTA CLARA
 and THE SANTA CLARA COUNTY
 PUBLIC HEALTH DEPARTMENT,

Defendants.

No. C 08-03685 JF

**DECLARATION OF JENNIFER
 SPRINKLES IN SUPPORT OF
 OPPOSITION TO ADMINISTRATIVE
 MOTION FOR EXPEDITED BRIEFING**

Complaint filed: July 22, 2008
 Notice of Removal filed: August 1, 2008

The Honorable Jeremy Fogel

I, JENNIFER SPRINKLES, do declare that:

I have personal knowledge of all of the matters stated herein and could testify truthfully
 thereto if called to testify.

1. I am a Deputy County Counsel with the Office of the County Counsel for the County
 of Santa Clara and am licensed to practice in all the courts of the State of California.

2. On July 22, 2008, Plaintiff filed a Complaint in the Superior Court of the County of
 Santa Clara. On July 23, I appeared in the Superior Court before the Honorable Judge Joseph
 Huber on behalf of the County for purposes of an *ex parte* hearing regarding Plaintiff's
 application for an order permitting Plaintiff to exceed the Superior Court's 15 page limit for a

1 memorandum in support of a preliminary injunction. Judge Huber denied the request to file a
2 37 page memorandum, but granted an extension permitting a 30 page limit.

3 3. Judge Huber instructed counsel to meet with Rowena Walker, Clerk of the Complex
4 Civil Department to file documents and to discuss the Complex Civil Calendar. The Clerk
5 indicated that Judge Huber would issue a decision about whether the matter would be on the
6 Complex Civil Calendar and that, based on that determination, the matter would be scheduled
7 for hearing. The Clerk informed us that if the Court sent the matter back to the regular civil
8 calendar, the hearing date would be set by another judge and that if the case remained on the
9 Complex Civil Calendar the matter could be heard on Judge Huber's regular law and motion
10 day (i.e., on a Friday), but no earlier than August 15, 2008.

11 4. I asked the Clerk whether the parties could stipulate to a briefing schedule and hearing
12 date, and the Clerk indicated that a stipulation would be appropriate. I did not agree, either on
13 July 23, 2008 or at any other time, to a stipulated hearing date and briefing schedule. In fact, to
14 my knowledge, no hearing date was selected on July 23.

15 5. Ms. Esmaili also asked on July 23, 2008 about the possibility of delaying the effective
16 date of the Ordinance. I told her that I did not know what view our client, the Santa Clara
17 County Board of Supervisors, would have regarding a request to delay the effective date of the
18 Ordinance. I also told Ms. Esmaili that the Board was not in session and that I was unsure what
19 the timing would be for going to the Board to pose that question.

20 6. I called Ms. Esmaili the following week, on July 30, 2008, and told her that we had no
21 additional information because our County Counsel was away and the Board of Supervisors was
22 not scheduled to hold its next public hearing until August 12, 2008.

23 7. I was present at the June 3, 2008 meeting of the Santa Clara County Board of
24 Supervisors for the first vote on the County's menu labeling ordinance. Amalia B. Chamorro,
25 Director of Local Government Affairs for the California Restaurant Association, was present
26 and testified against the ordinance. At that meeting, the Board voted 5-0 in favor of adoption.

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1 The second reading and final vote to approve the menu labeling ordinance was June 24th, which
2 was also the last scheduled Board meeting until August 12th.

3 I declare under penalty of perjury under the laws of the State of California that the
4 foregoing is true and correct. Executed at San Jose, California on August 8, 2008.

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7 JENNIFER SPRINKLES

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